GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Judicial Department - Allegation of corruption against Sri Chowdari Vinay, S/o late Venkateswara Rao, Field Assistant/Amin, Office of Central Nazarath, Hon'ble court of Principal District Judge, Visakhapatnam - Trapped on 19.10.2019 - Sanction for Prosecution under the Prevention of Corruption Act 1988 – Accorded – Orders – Issued.

HOME (COURTS-B) DEPARTMENT

G.O. Ms.No. 46

Dated: 23/02/2023

ORDER

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1. WHEREAS, Sri Chowdari Vinay, S/o late Venkateswara Rao, Field Assistant/Amin, Office of Central Nazarath, Hon'ble court of Principal District Judge, Visakhapatnam from 04.06.2018 to 19.10.2019 and by virtue of the post held by him, he falls under the category of public servant as defined under section 2 (c) of the Prevention of Corruption (Amendment) Act, 2018.

2. AND WHEREAS, on 18.10.2019 at 12:00 hrs Smt. Teegala Venkata Ramani, W/o T.V.V.N.Gupta, Proprietor M/s SVR Packings, D.No.26-1-74, opposite to Poorna Market main gate, Visakhapatnam city have submitted a written complaint against Sri Chowdari Vinay, S/o late Venkateswara Rao, Field Assistant / Amin, Office of Central Nazarath, Hon'ble court of Principal District Judge, Visakhapatnam to the DSP ACB Visakhapatnam Range stating that she is resident of D.No. 26-1-74, Poorna Market, Visakhapatnam. Her husband Sri Teegala Venkata Varaha Narasimha Gupta earlier did kirana whole sale business in the shop situated in the ground floor portion of their house. About 8 years back, her husband took hand loan of Rs.2.75 lakhs from a fruit seller Sri Adapa Satyanarayana of Poorna Market in their names. At that time she did not put her signature. Her husband forged her signature as surety without her knowledge. Later, her husband developed illegal intimacy with another lady. Since then, he started physical and mental harassment to her. As such, in the year 2013, she lodged a report against her husband in II Town Police Station, Visakhapatnam

city. The SHO II Town P.S registered a case U/s 498-A IPC against her husband, arrested and sent him to jail. Since then, he neglected her & children and even he did not come to their house. About 4 years back, she received a notice from Hon'ble VI Addl. Sr. Civil Judge court, Visakhapatnam that she has to repay the loan amount Rs. 2,75,000/- including interest which was taken from Sri Adapa Satyanarayana. Then, she approached a lawyer and informed the matter. The lawyer advised her not to worry about the issue as she neither took loan amount directly from Sri A. Satyanarayana nor put her signature on the loan papers in his presence and the Hon'ble court will finalize the matter. At that time, she started business under the name and style as "SVR Packings" in the ground floor portion of their house near Poorna Market since 2016 and looking after her children. About 3 years prior to the complaint, the Learned VI Addl. Senior civil Judge, Visakhapatnam issued orders to recover Redgram, oil tins, Coco-cola Fridge etc items from their shop. Then, she informed the persons who brought the order that no such items are available in their shop. Accordingly, they verified the shop and confirmed that no such items are available in the shop and returned. On 15.10.2019 morning at about 11.00 AM, two Amins viz., Sri Ch. Vinay & Vijay Mohan of the Hon'ble VI Addl. Sr. Civil Judge court came to their shop to recover the items such as Fridge, paper plates, plastic glasses etc., from the shop. On her objection for the recovery of items, then they left the shop. At that time, one of the Court Amin Sri Ch. Vinay took her phone number and informed her that he would contact her later. On the same day, the Court Amin Sri Ch. Vinay contacted her from his mobile No. 9494465763 to her mobile Number 8523080231 and he demanded an amount of Rs.5,000/- to cause delay in serving of court notice to her for 10 days or else he would recover the items mentioned in the notice worth of Rs.2.75 lakhs from her shop. Then, she expressed her inability to give such amount as bribe and she will inform him after discussing the matter with her family members. Later on 17.10.2019 in between 12.00 noon to 1.00 pm, while she was in her house which is situated in the upstairs of the shop, her elder son Sri Dheeraj telephoned that, two court Amins Sri Ch. Vinay & Vijay along with Sri Adapa Satyanarayana came to the shop and they are throwing out the items from the shop as she did not give the bribe amount. Immediately, she telephoned the Court Amin Sri Ch. Vinay from her mobile phone and informed him that, their lawyer asked to note objection of the notice of recovery of items from the shop as she did

not take any loan from Sri A. Satyanarayana. The Court Amin Sri Ch. Vinay refused to write objections and demanded to pay the bribe of Rs.5,000/- to cause delay in serving the court notice for 10 days. As there is no alternative, unwillingly, she agreed to pay the demanded bribe of Rs.5,000/- to him and came down from the first floor of the house. Then, the said Amin Sri Ch. Vinay asked her to take photo of the list of items to be recovered from the shop. She took photo of the notice through her mobile. Later, the Amins kept the items into the shop. Sri Ch. Vinay asked her to come to the court. After some time, when she telephoned him through her mobile he asked her to come to Dabha Gardens. After some time, he telephoned from his mobile and asked her to come to CMR shopping mall area. At about 4 P.M., she went to the CMR shopping mall area and met him. At that time also, Sri Vinay further demanded to pay an amount of Rs.5,000/- as bribe for causing delay in serving of the notice for 10 days. She informed him that, she has no such money. He reiterated his earlier demand and left the place. Later, he again contacted her over his mobile and asked to pay the demanded bribe and caused inconvenience to her. As there is no alternative, she agreed to pay the demanded bribe of Rs.5,000/-. She recorded the conversation that took place between her and the court Amin Sri Vinay in a Xtreme SM 4 GB memory card through her mobile phone on 15.07.2019 and 17.10.2019. As she is not willing to pay the demanded bribe of Rs.5,000/- to Sri Ch. Vinay, Amin of Hob'ble VI Addl. Sr. Civil Judge Court, Visakhapatnam, she presented a written report to DSP, ACB, Visakhapatnam on 18.10.2019 at 12.00hrs for taking necessary action against court Amin Sri Vinay. She submitted Xtreme SM 4 GB memory card and Xerox copy of the list of provided by Sri Vinay, Amin to DSP along with her written report.

3. AND WHEREAS, after due verification of genuineness of report and antecedents of Sri Chowdari Vinay, S/o late Venkateswara Rao, Field Assistant / Amin, Office of Central Nazarath, Hon'ble court of Principal District Judge, Visakhapatnam, the DSP, ACB, Visakhapatnam Range registered the report as a case in Cr.No.14/RCT-ACB/VSP/2019 U/s 7(a) of PC (Amendment) Act, 2018 of ACB, Visakhapatnam Range, Visakhapatnam at 08:00 hours on 19.10.2019 and took up investigation.

4. AND WHEREAS, on 19.10.2019 at about 13:35 hrs, Sri Chowdari Vinay, S/o late Venkateswara Rao, Field Assistant/Amin, Office of Central Nazarath, Hon'ble court of Principal District Judge, Visakhapatnam when he further demanded and accepted the bribe amount of Rs.5,000/- from Smt. Teegala Venkata Ramani, and he caught red-handed in the shop of Smt. Teegala Venkata Ramani situated at M/s SVR Packings, D.No.26-1-74, opposite to Poorna Market main gate, Visakhapatnam City. Sri Chowdari Vinay received the said bribe amount with his right hand and kept the same in his right side hip pocket of his blue jeans trouser. The bribe amount of Rs.5,000/- was recovered from the right side hip pocket of blue jeans trouser of Sri Chowdari Vinay and compared with the serial numbers mentioned in the Pre-trap proceedings and found tallied. Right hand fingers and inner linings of blue coloured jeans right hip pocket of Sri Chowdari Vinay, which came into contact with tainted currency yielded positive results when subjected to chemical test. The tainted amount of Rs. 5,000/-, connected records and material objects pertaining to this case were seized by the DSP, ACB, Visakhapatnam in the presence of mediators under the cover of Mediators Report-II dated. 19.10.2019. Sri Chowdari Vinay, S/o late Venkateswara Rao, Field Assistant/Amin, Office of Central Nazarath, Hon'ble court of Principal District Judge, Visakhapatnam was arrested on 19.10.2019 at 2000 hours in the shop of Smt. Teegala Venkata Ramani situated at M/s SVR Packings, D.No.26-1-74, opposite to Poorna Market main gate, Visakhapatnam city and he was produced before the Hon'ble Court on 20.10.2019 and the Hon'ble Court remanded him to judicial custody and later he was enlarged on bail.

5. AND WHEREAS, the aforesaid acts of Sri Chowdari Vinay, S/o late Venkateswara Rao, Field Assistant/Amin, Office of Central Nazarath, Hon'ble court of Principal District Judge, Visakhapatnam, constitute offence under section 7 (a) of Prevention of Corruption (Amendment) Act, 2018.

6. AND WHEREAS, the Government of Andhra Pradesh, being the competent authority to remove Sri Chowdari Vinay, S/o late Venkateswara Rao, Field Assistant/Amin, Office of Central Nazarath, Hon'ble court of Principal District Judge, Visakhapatnam from his service after fully and carefully examining the material viz., copy of FIR, copies of statements of witnesses, copies of documents

and other material placed before me in regard to the said allegation and circumstances of the case considered that Sri Chowdari Vinay, S/o late Venkateswara Rao, Field Assistant/Amin, Office of Central Nazarath, Hon'ble court of Principal District Judge, Visakhapatnam, should be prosecuted in a court of law for the aforesaid offences.

7. NOW THEREFORE, in exercise of the powers conferred by Clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption Act, 1988, the Government of Andhra Pradesh hereby accords sanction for the prosecution of Sri Chowdari Vinay, S/o late Venkateswara Rao, Field Assistant / Amin, Office of Central Nazarath, Hon'ble court of Principal District Judge, Visakhapatnam, for the aforesaid offences punishable under sections 7 (a) of the Prevention of Corruption (Amendment) Act, 2018 and for any other cognizable offences punishable under any provisions of law for the time being in force in respect of the aforesaid act and for taking cognizance of the said offences by the court of competent jurisdiction.

G SATYA PRABHAKAR RAO,
SECY(GSPR), SECRETARY TO GOVT(LAW)-LAW01

The Director General,
Anti-Corruption Bureau,
A.P., Vijayawada.